

**CERTIFICATE OF
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Request to Withdraw as
Attorney or Agent

| | |
|--------------------|------------------------|
| Application Number | 09/921,066 |
| Filing Date | 8-2-2001 |
| First Inventor | Thomas H. Foster |
| Examiner Name | George Robert Evanisko |
| Art Unit | 3762 |
| Docket Number | THF 170 |

Faxed to Number 703-872-9306

Total Pages 3

DATE OF TRANSMISSION: 9-30-2005

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TITLE OF CASE:

SEP 30 2005

MRI-Compatible Implantable Device

The following documents are enclosed:

Certificate of Facsimile Transmission (1 page)

Request for Withdrawal as Attorney or Agent (1 page)

Notice to Client (1 page)

The above named documents are being facsimile transmitted to the United States Patent and Trademark Office on the date indicated above. The Director is authorized to charge any additional fee(s) as needed during the pendency of this application to deposit account 50-2753.

Howard J. Greenwald P.C.
349 W. Commercial Street, Suite 2490
East Rochester, NY 14445
Telephone (585) 387-0285
Fax (585) 387-0288

Signature of Transmitter: William A.

Howard J. Greenwald, Reg. No. 24,247

☒ William Six

Tracy P. Jong, Reg. No. 56,105

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Sep. 30. 2005 11:52AM Howard J. Greenwald, P.C.

SEP 30 2005 No. 2110 P. 2

PTO/SB/83 (09-04)

Approved for use through 11/30/2005. OMB 0651-0035
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**REQUEST FOR WITHDRAWAL
AS ATTORNEY OR AGENT
AND CHANGE OF
CORRESPONDENCE ADDRESS**

| | |
|------------------------|------------------------|
| Application Number | 09/921,066 |
| Filing Date | 8-2-2001 |
| First Named Inventor | Thomas H. Foster |
| Art Unit | 3762 |
| Examiner Name | George Robert Evanisko |
| Attorney Docket Number | THF 170 |

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Please withdraw me as attorney or agent for the above identified patent application, and

- ☐ all the attorneys/agents of record.
- ☐ the attorneys/agents (with registration numbers) listed on the attached paper(s), or
- ☒ the attorneys/agents associated with Customer Number **37282**

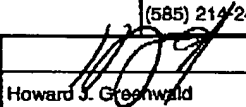
NOTE: This box can only be checked when the power of attorney of record in the application is to all the practitioners associated with a customer number.

The reasons for this request are as follows: The practitioner knows or it is obvious that the practitioner's continued employment will result in violation of a Disciplinary Rule, to wit, CFR Sec. 10.66(b) and as such, withdrawal is mandatory pursuant to 37 CFR Sec. 10.40 (b)(2). There is no outstanding action from the USPTO with a reply due within 60 days.

CORRESPONDENCE ADDRESS

1. ☐ The correspondence address is NOT affected by this withdrawal.
2. ☒ Change the correspondence address and direct all future correspondence to:
- ☐ The address associated with Customer Number:

OR

| | | | |
|---|---|------------------|----------------|
| <input checked="" type="checkbox"/> Firm or Individual Name | Michael L. Weiner | | |
| Address | Biophan Technologies, Inc. 150 Lucius Gordon Drive Suite 215 | | |
| City | West Henrietta | State | NY |
| Country | United States | | |
| Telephone | (585) 214-2432 | Fax | (585) 424-8538 |
| Signature |  | | |
| Name | Howard J. Greenwald | Registration No. | 24,247 |
| Date | Sept. 30, 2005 | Telephone No. | (585) 387-0285 |

NOTE: Withdrawal is effective when approved rather than when received. Unless there are at least 30 days between approval of withdrawal and the expiration date of a time period for response or possible extension period, the request to withdraw is normally disapproved.

This collection of information is required by 37 CFR 1.38. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Sep. 30. 2005 11:53AM

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Howard J. Greenwald, P.C.

No. 2110 P. 3



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SEP 30 2005

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September 30, 2005

Michael L. Weiner
Biophan Technologies, Inc.
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West Henrietta, NY 14586

**REQUEST OF WITHDRAWAL AS ATTORNEY AND CHANGE OF
CORRESPONDENCE ADDRESS
DOCKET 170; USSN: 09/921,066
"MRI-COMPATIBLE IMPLANTABLE DEVICE"**

Dear Mike:

Enclosed, please find a copy of **REQUEST OF WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS** filed with the United States Patent and Trademark Office. The withdrawal is not effective until granted by the United States Patent and Trademark Office.

There is currently nothing requiring a response to the United States Patent and Trademark Office within the next 60 days in this case. In this manner, no patent rights will be compromised. However, for your records, the next significant date you may wish to calendar in this matter, is as follows:

7/13/2008 Maintenance fee window opens.

It is our understanding that you already have complete and accurate files of this application. At your request, we would be pleased to provide you with a redundant copy of our records.

Very truly yours,


Howard J. Greenwald

Enclosures